

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NACH et al

v.
Plaintiffs,

HUBER

Defendants.

CIVIL ACTION NO. 1:08-cv-01536-SWK

**NOTICE OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

APR 30 2008 PM 4:14
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
FILED COURT

NOTICE OF MOTION AND MOTION TO ADMIT COUNSEL *PRO HAC VICE*

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I, Ira M. Press, a member in good standing of the bar of this Court, hereby move for an Order allowing the admission *pro hac vice* of:

Applicant's Name: Michael K. Yarnoff
Firm Name: Schiffрин Barroway Topaz & Kessler, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: myarnoff@sbtklaw.com

Michael K. Yarnoff is a member in good standing of the Bars of the State of Pennsylvania and the State of Delaware. There are no pending disciplinary proceedings against Michael K. Yarnoff in any State or Federal Court.

Dated: 4/30, 2008

Respectfully submitted,

KIRBY MCINERNEY LLP



Ira M. Press (IP 5313)
830 Third Avenue
10th Floor
New York, NY 10022
(212) 317-6600
Fax: (212) 751-2540

Counsel for Lead Plaintiffs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NACH et al

Plaintiffs,

v.

HUBER

Defendants.

CIVIL ACTION NO. 1:08-cv-01536-SWK

**AFFIDAVIT OF IRA M. PRESS IN
SUPPORT OF MOTION TO ADMIT
COUNSEL *PRO HAC VICE***

State of New York)
)
 ss.
County of New York)

Ira M. Press, being duly sworn, hereby deposes and says as follows:

1. I am a partner at Kirby McInerney LLP, Counsel for the Lead Plaintiffs in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Lead Plaintiffs' motion to admit Michael K. Yarnoff as counsel *pro hac vice* to represent the Lead Plaintiffs in this matter.

2. I am a member in good standing of the bar of the State of New York, and was admitted to practice law on March 1990. I am also admitted to the bar of the United States District Court for the Southern District of New York, and am in good standing with this Court.

3. Mr. Yarnoff is a partner at Schiffriin Barroway Topaz & Kessler, LLP in Radnor, Pennsylvania.

4. I have found Mr. Yarnoff to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.

5. Accordingly, I am pleased to move the admission of Michael K. Yarnoff, *pro hac vice.*

6. In compliance with Rule 1.3(c) of the Local Rules of the United States District Court for the Southern District of New York, I have attached Certificates of Good Standing for Mr. Yarnoff from Pennsylvania and New Jersey issued within the past thirty days.

7. I respectfully submit a proposed order granting the admission of Michael K. Yarnoff, *pro hac vice*, which is also attached.

WHEREFORE it is respectfully requested that the motion to admit Michael K. Yarnoff, *pro hac vice*, to represent the Lead Plaintiffs in the above-captioned matter, be granted.

Dated: 4/30, 2008

Respectfully submitted,

KIRBY MCINERNEY LLP


Ira M. Press (IP 5313)
830 Third Avenue, 10th Floor
New York, NY 10022
(212) 317-6600
Fax: (212) 751-2540

Counsel for Lead Plaintiffs

Sworn to and subscribed before me

this 30 day of April, 2008.

Pamela E. Kulsrud

Notary Public

PAMELA E. KULSRUD
Notary Public, State of New York
No. 02KU6143463
Appointed in New York County
My Commission Expires 2/6/09



Supreme Court of Pennsylvania

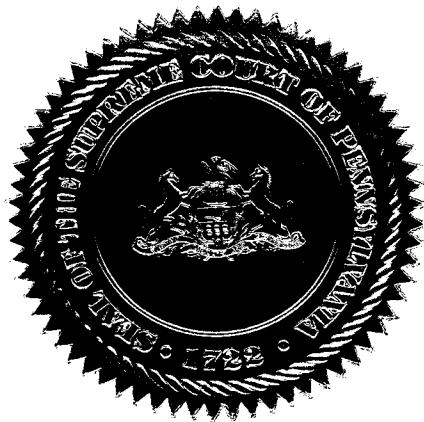
CERTIFICATE OF GOOD STANDING

Michael Keith Yarnoff, Esq.

DATE OF ADMISSION

December 12, 1991

The above named attorney was duly admitted to the bar of the Commonwealth of Pennsylvania, and is now a qualified member in good standing.



Witness my hand and official seal
Dated: April 22, 2008

A handwritten signature in black ink, appearing to read "Patricia A. Johnson".

Patricia A. Johnson
Chief Clerk

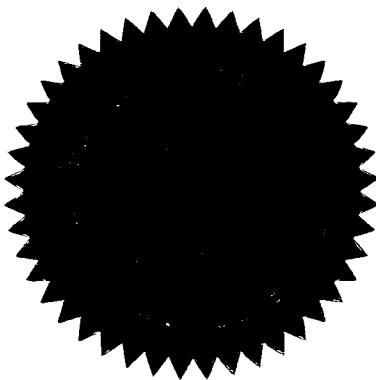
SUPREME COURT OF THE STATE OF DELAWARE

CERTIFICATE OF GOOD STANDING

The Clerk of the Supreme Court of the State of Delaware, the highest Court in the State, certifies that **Michael K. Yarnoff** was admitted to practice as an attorney in the Courts of this State on **March 13, 1995**, and is an **active** member of the Bar of the Supreme Court of the State of Delaware in good standing.

IN TESTIMONY WHEREOF,

I have hereunto set my hand and affixed the seal of said Court at Dover this 16th day of April 2008.



Cathy L. Howard
Cathy L. Howard
Clerk of the Supreme Court

CERTIFICATE OF SERVICE

I, Ira M. Press, hereby certify that I filed true and correct copies of the foregoing documents:

- *PRO HAC VICE MOTION, AFFIDAVIT, AND PROPOSED ORDER.*

with the Clerk of the Court on this date. The CM/ECF system will send notification to all counsel registered for CM/ECF.

Dated: 4/30/, 2008

KIRBY MCINERNEY LLP



Ira M. Press (IP 5313)
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Counsel for Lead Plaintiffs

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NACH et al

CIVIL ACTION NO. 1:08-cv-01536-SWK

Plaintiffs,
v.

HUBER

Defendants.

**ORDER FOR ADMISSION *PRO HAC
VICE* ON WRITTEN MOTION**

Upon the motion of Ira M. Press, Counsel for the Lead Plaintiffs, and said sponsor attorney's affirmation in support;

IT IS HEREBY ORDERED that

Applicant's Name: Michael K. Yarnoff
Firm Name: Schiffrin Barroway Topaz & Kessler, LLP
Address: 280 King of Prussia Road
City/State/Zip: Radnor, PA 19087
Phone Number: (610) 667-7706
Fax Number: (610) 667-7056
Email Address: myarnoff@sbtklaw.com

is admitted to practice *pro hac vice* as counsel for the Lead Plaintiffs in the above captioned case in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at nysd.uscourts.gov. Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: _____

Shirley Wohl Kram, U.S. District Judge

SERVICE LIST**Counsel registered for CM/ECF:**

<p>Marvin A. Miller Miller Law, LLC 115 S. LaSalle Street Suite 2910 Chicago, IL 60603 (312) 332-3400 Fax: (312) 676-2676 Email: mmiller@millerlawllc.com</p> <p><i>Counsel for Lead Plaintiff Lewis Wetstein, M.D.</i></p>	<p>Frederick W. Gerkens, III Glancy Binkow & Goldberg LLP 1430 Broadway Suite 1603 New York, NY 10018 (212) 382-2221 Fax: (212) 382-3944 Email: fgerkens@glancylaw.com</p> <p><i>Co-Lead Counsel for Lead Plaintiff Lewis Wetstein, M.D.</i></p>
<p>Daniel Hume Ira M. Press Kirby McInerney LLP 830 Third Avenue 10th Floor New York, NY 10022 (212) 317-6600 Fax: (212) 751-2540 Email: dhume@kmslaw.com Email: ipress@kmslaw.com</p> <p><i>Counsel for Lead Plaintiff Teamsters Local 282 Group</i></p>	<p>Sharon L. Nelles Stephen Ehrenberg Darrell Scott Cafasso Sullivan & Cromwell, LLP(NYC) 125 Broad Street New York, NY 10004 (212) 558-4000 Fax: (212) 558-3588 Email: nelless@sullcrom.com Email: ehrenbergs@sullcrom.com Email: cafassod@sullcrom.com</p> <p><i>Counsel for Defendant Linda Huber</i></p>

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